***THE HONOURABLE SRI JUSTICE***

***A.GOPAL REDDY***

W.P.No.7212 of 2006

Dt.13-04-2006

Between:

1.G.Durga Raju and others

..Petitioners

and

1. MCH, rep. by its Commissioner,

Lower Tank Bund, Hyderabad and another

..Respondents.

***THE HONOURABLE SRI JUSTICE***

***A.GOPAL REDDY***

W.P.No.7212 of 2006

**Oral Order:**

The only grievance of the petitioners, 18 in number, is that the authorities straightaway issued notice under Section 636 of the Hyderabad Municipal Corporations Act, 1955 (for short "the Act") without preceding any notice under Section 452 of the Act, which is a condition precedent for issuing notice under Section 636.

The above notice depict that the same was issued in the light of directions issued by

the High Court in suo motu contempt petition—C.C.No.101 of 1996 dated 28-02-1996 and also the order passed in W.A.No.2130 of 2005 dated 21-02-2006.

In view of the fact since it is mandatory of issuing notice under Section 452 before issuing notice under Section 636 of the Act, notice issued by the Corporation under Section 636 can be treated as notice issued under Section 452, to which petitioners can submit their explanation within three days from the date of receipt of a copy of this order and on submitting the explanation the authorities can pass appropriate orders and can take further steps to implement the order passed by this Court.

Writ Petition is accordingly disposed of. Status quo existing as on today shall be maintained till final orders are passed by the respondents. No costs.

_____ A.GOPAL REDDY, J.

13-04-2006

***Murthy***